



An
Coimisiún
Pleanála

Inspector's Report

PL-501710-LD-26

Development	The proposed construction of a vehicular entrance to serve a landholding
Location	Drinan, Ballymahon, Co. Longford
Planning Authority	Longford County Council
Planning Authority Reg. Ref.	2660153
Applicant	Frank McCormack
Type of Application	Permission.
Planning Authority Decision	To refuse permission
Type of Appeal	First Party
Appellant	Frank McCormack
Observer	Stephen Reynolds
Date of Site Inspection	26 th August 2026
Inspector	Trevor Rue

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1.0 Site Location and Description

- 1.1. The application site is on the north-eastern side of the R392 Lanesborough to Mullingar road, about 1.1 kilometres to the north west of the centre of Ballymahon. At this location, the road is subject to a speed limit of 50 kilometres per hour (km/h).
- 1.2. The site has a stated area of 0.093 hectares. It comprises an almost rectangular strip of open land, 12.59 metres in width. A wide public footpath runs along the roadside boundary of the site. There is a block wall at the back of the footpath, with an evergreen hedge immediately behind it. A wooden utility pole is positioned near the south-eastern extremity of the wall.
- 1.3. The site is situated between two dwellings, each of which has a vehicular access to the road across the footpath. There is a tree in the front garden of the dwelling to the north west, adjacent to the north-western site boundary, which is marked by a block wall and a fence. The dwelling to the south east is positioned close to the footpath and the south-eastern site boundary is undefined. A hedgerow runs along the rear, north-western boundary of the application site and the properties on either side of it.

2.0 Proposed Development

- 2.1. It is proposed to construct a centrally placed vehicular entrance with 4-metre-wide gates flanked by piers to serve a landholding consisting of the site itself. Sightlines of 3 metres by 90 metres in both directions are shown on the site layout drawing. The drawing indicates that the rear hedgerow would be maintained.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. By order dated 23rd June 2026, Longford County Council decided to refuse permission for the following reason:

The proposed development provides for the creation of a new vehicular entrance onto the R392, a route of strategic importance. It is the policy of the Spatial Planning and National Roads: Guidelines for Planning Authorities (2012) (DoECLG), as reflected in Policy CPO5.19 of the Longford County Development Plan 2021-2027, to protect

routes of strategic importance and to preserve their strategic role by restricting the creation of new accesses onto such routes.

Based on the information submitted the applicant has not justified the need for a new vehicular entrance at this location. The proposed development would therefore introduce a new access point and associated turning movements onto the R392, thereby undermining the strategic function of the route and conflicting with the objectives of Policy CPO 5.19 of the Longford County Development Plan 2021–2027. Accordingly, the proposed development would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. A **planning officer's report** dated 19th June 2026 provided the reasoning for the authority's decision. The main points were as follows:

- The proposed vehicular access would have adverse impacts on road and pedestrian safety and on the residential amenity of the area.
- No information has been provided to justify the creation of a new access to the R392 having regard to the policy objectives of the County Development Plan. The development is therefore not in accordance with the Plan.
- The application site is not located within an identified flood risk area.

3.2.2. The application was referred to the Council's **Area Engineer** but no response was received.

3.3. Third Party Submissions

3.3.1. The Council received submissions from residents of two adjoining properties, one of whom later made observations on the appeal. The points not repeated at appeal stage may be summarised as follows:

- The application and site notice refer to Drinagh rather than Drinan. Accuracy in site identification is a fundamental component of a valid planning application.
- While the site is within the settlement boundary, it lies on the periphery of the town and fronts a busy road. Vehicles travelling in both directions frequently

exceed the speed limit and the road already presents challenges for drivers entering and exiting adjoining properties. The proposed entrance would be located only 5 metres from the existing entrance serving the dwelling immediately to the north west. It would introduce additional turning movements at a location where there is existing pedestrian activity and limited opportunity for driver reaction.

- The adjoining footpath forms part of the Royal Canal walking route and experiences significant daily use by walkers, runners, families and school groups. The proposal appears inconsistent with policies that promote active travel, accessibility and pedestrian priority. The application does not include details of footpath modifications or accessibility measures such as tactile paving or dropped kerbs.
- Visibility at the proposed entrance is a concern. The application does not demonstrate how a safe access could be achieved without negatively affecting neighbouring properties.
- The existing hedgerow forms an important natural boundary between the roadway and adjoining residential properties. It provides privacy, visual screening and noise attenuation and contributes to the established semi-rural character of the area. Its removal, disturbance or long-term degradation would be necessary to facilitate the proposed entrance, sightline requirements and associated engineering works.
- The proposed entrance appears to be located adjacent to, or potentially over, a soakaway drainage system that serves the dwelling immediately to the south east. Excavation works, ground compaction, hard surfacing or alterations to ground levels may interfere with current drainage patterns.
- The site has previously experienced flooding and water ingress. Creating a new opening in the roadside boundary may alter existing runoff patterns and facilitate increased water movement from the road and footpath toward adjoining lands and properties, particularly during periods of heavy rainfall. Additional hard surfacing may further reduce permeability and increase runoff.

4.0 Planning History

- 4.1. **25/60297:** On 3rd March 2026, the Council refused to grant permission to Jitendra Sadashiv Chavan for a dormer-type dwelling at the present application site. The reasons for refusal may be summarised as failure to demonstrate a rurally generated housing need; piecemeal and disorderly development; and out-of-keeping design and visual obtrusion. The site layout plan proposed a centrally placed vehicular entrance and sightlines of 2.4 metres by 90 metres. This decision was not appealed.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The Ballymahon Zoning Map in Appendix A1C to the Longford County Development Plan 2021-2027 shows the application site as unzoned land within the settlement boundary of the town as defined by the Central Statistics Office. It shows the site located outside the designated Area of Constrained Land Use, whose objective is to facilitate the appropriate management and sustainable use of flood risk areas.
- 5.1.2. County Policy Objective CPO 5.15 of the Plan is to protect the capacity, efficiency and safety of the national road network in Co. Longford by complying with the *“Spatial Planning and National Roads - Guidelines for Planning Authorities” (2012)*.
- 5.1.3. CPO 5.19 is to protect routes of strategic importance within the county, as outlined below, from further access creation and the intensification of existing accesses and development on national routes. It says that development on the national and regional routes outlined below shall be carefully considered to preserve their strategic role and safeguard the strategic function of the national road network, in accordance with the provisions of the *DoECLG Spatial Planning and National Roads Guidelines (2012)*. The routes listed below the policy statement include R392 Lanesborough/Mullingar.
- 5.1.4. CPO 5.30 is to require a licence prior to each proposed instance of road opening. Works shall only be carried out in accordance with the terms of the licence granted.
- 5.1.5. Section 16.4.7 of the Plan states that the provision of a safe vehicular access is a prerequisite for all development proposals in the interest of traffic safety for all road

users. Figure 15.2 shows sightlines calculated in both directions from a point 3.0 metres back from the road edge.

- 5.1.6. The development management standards of the Plan relating to road safety and access are DMS 6.112 to DMS 6.123. DMS 16.114 says safe unobstructed sight distances should be provided and maintained thereafter from vehicular entrances on to the road network. For regional roads with a speed limit of 50 km/h, sightlines of 49 metres are required. In general, only the minimum interference with existing roadside boundaries and hedges shall be permitted.
- 5.1.7. DMS 16.119 is to discourage the proliferation of road access points on to public roads, especially in areas where the maximum speed limit applies or where road safety is of concern. DMS 16.120 states that the sharing of vehicular entrances will be encouraged where appropriate in order to avoid a proliferation of access points. Where a new house is to be sited adjacent to existing dwellings, use of existing entrances, avenues and driveways should be considered.
- 5.1.8. DMS 16.121 is to retain existing roadside hedgerows and trees as much as possible. New and or extended entrances should be carefully considered to achieve the required sight distance with the removal of a minimum extent of existing hedgerow. The new boundary should be planted with suitable indigenous species and plants and these should be identified within a detailed landscape plan. DMS 16.122 states that where satisfactory access can be achieved only by removing large stretches of roadside hedgerow/ditches/stone boundaries, an alternative site for the proposed development should be sought.
- 5.1.9. DMS 16.135 states that where parking is permitted in the view of the general public, adequate soft landscaping shall be provided to soften the appearance of hard-surfaced areas.

5.2. Ministerial Guidelines on Spatial Planning and National Roads

- 5.2.1. The Guidelines were published by the Department for Environment, Community and Local Government in 2012. Section 1.1 states that the guidelines set out planning policy considerations relating to development affecting national primary and secondary roads, including motorways and associated junctions, outside the 50-60 km/h speed limit zones for cities, towns and villages.

5.2.2. Section 1.6 of the Guidelines strongly recommends planning authorities also to identify, as part of the development plan process, those stretches of non-national roads outside the 50-60 km/h speed limit zones where it would be appropriate to apply the Guidelines. In many cases, investment has improved the alignment, surface and safety of major stretches of regional roads, which carry significant volumes of traffic, especially those outside the 50-60 km/h speed limits for cities, towns and villages. For the future, the protection of such capacity and preservation of enhanced safety standards will be important in ensuring that such regional roads can continue to perform important local and regional transportation functions.

5.2.3. Section 2.5 states that with regard to access to national roads, all development plans must implement the policy approaches outlined below. The policy of the planning authority will be to avoid the creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60 km/h apply. Where the plan area incorporates sections of national roads on the approaches to or exit from urban centres that are subject to a speed limit of 60 km/h before a lower 50 km/h limit is encountered, the plan may provide for a limited level of direct access to facilitate orderly urban development. Any such proposal must, however, be subject to a road safety audit and a proliferation of such entrances must be avoided. Within 50 km/h speed limits, access to national roads will be considered by planning authorities in accordance with normal road safety, traffic management and urban design criteria for built-up areas.

5.3. Natural Heritage Designations

5.3.1. The application site is not within any Natura 2000 European site of nature conservation importance. The nearest Natura 2000 sites to the site are:

- Lough Ree Special Area of Conservation (SAC), about 4.5 kilometres to the west of the site, designated for natural eutrophic lakes, semi-natural dry grasslands, active and degraded raised bogs, alkaline fens, limestone pavements, bog woodland, alluvial forests and otter;
- Lough Ree Special Protection Area, about 5 kilometres to the west of the site, designated for various bird species; and

- Mount Jessop Bog SAC, about 13 kilometres to the north of the site, designated for degraded raised bogs and bog woodland.

5.3.2. The application site is not in any Natural Heritage Area (NHA). There are six NHAs and 17 proposed NHAs (pNHAs) in Co. Longford, which are identified on a map in Appendix 7 to the Development Plan. The nearest of these areas to the application site are Forthill Bog NHA, Derry Lough pNHA and Lough Bawn pNHA.

6.0 Environmental Impact Assessment Screening

6.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1. Grounds of Appeal

7.1.1. The grounds of appeal may be summarised as follows:

- When permission was refused for a dwelling house on the application site in March 2026, none of the reasons for refusal related to the creation of an entrance on to the adjoining public road.
- The present application site was part of a larger landholding which included the neighbouring dwelling to the south east. The appellant sold that dwelling and retained the application site. The reason for the present application is to enable the appellant to enter his only remaining lands at this location.
- Excellent sightlines are achievable in each direction from the proposed entrance.

7.2. Planning Authority Response

7.2.1. None

7.3. Observations

7.3.1. The observations of a resident of the adjoining property to the south east may be summarised as follows:

- The main issue is whether the division of the landholding is sufficient reason to create another permanent vehicular access on to the R392 strategic regional road. The Commission is asked to consider whether another reasonable access arrangement exists or could have been retained when the holding was divided and whether the explanation now given is enough to overcome the clear purpose to CPO 5.19 to protect the route from further access creation.
- The entrance now proposed is in substantially the same location as that previously proposed to serve a dwelling on the application site (25/60297). While access was not a stated reason for refusing that application, this was not a finding that a standalone entrance complied with CPO 5.19. While it is not suggested that a further residential application is presently intended, the Commission should satisfy itself that the proposed permanent access is justified independently of any future development of the lands.
- A closed-circuit television survey of the foul drainage serving the property to the south east found the pipes to be in an acceptable condition. It nevertheless recorded localised 5% deformation on a section of pipe and, downstream, varying water levels, settled deposits and a medium displaced joint. It is requested that if permission is granted, existing services are identified and protected during the works and that the development does not interfere with or impede reasonable future access to foul drainage serving adjoining property.

8.0 Assessment

8.1. Issues

8.1.1. Having inspected the site and considered in detail the documentation on file for this first-party appeal, it seems to me that the main planning issues are:

- the validity of the application and appeal;
- the acceptability in principle of the proposed entrance;
- its effect on road and pedestrian safety; and

- its effect on the residential amenity of the area.

8.2. Validity of the Application and Appeal

- 8.2.1. The application form and the public notices indicate that the application site is in the townland of Drinagh, whereas the townland name is in fact DRINAN. There is no townland called Drinagh in Co. Longford. In my opinion it is most unlikely that anyone who inspected the application or read the notices would have been misled as to the location of the site. I do not consider that this minor error has invalidated the application or the appeal.

8.3. Acceptability in Principle

- 8.3.1. The 2012 Ministerial Guidelines on Spatial Planning and National Roads set out a mandatory policy, which planning authorities must implement through their development plans, to avoid the creation of any additional access points on to national roads with speed limits of more than 60 km/h. The Guidelines also provide that within 50 km/h speed limits, access to national roads are to be considered in accordance with the normal site-specific criteria that apply in built-up areas. The policy approach mandated by the Guidelines is, therefore, that there is to be no outright prohibition on any additional access points on the slower stretches of national roads.
- 8.3.2. Policy Objective CPO 5.19 of the County Development Plan is to protect routes of strategic importance, including the R392, from further access creation and to consider development on those routes carefully in order to preserve their strategic role and function in accordance with the provisions of the 2012 Guidelines. It seems to me that this policy objective has two tiers – protection from further access creation and careful consideration – and that the relationship between these tiers must be interpreted in the context of the 2012 Guidelines.
- 8.3.3. It would not be logical to infer a prohibition on any further access creation on to stretches of regional roads within 50 km/h speed limits under CPO 5.19 when, in accordance with the Guidelines, no such outright prohibition applies to national roads within 50 km/h speed limits. It seems to me, therefore, that the second tier of the policy objective is applicable in this appeal and that the proposed development should be carefully considered in accordance with normal road safety, traffic management and

urban design criteria for built-up areas. It seems to me that one of the matters which requires careful consideration is the nature and purpose of the development and that there is an onus on the appellant to justify the need for it.

- 8.3.4. DMS 16.119 is one of a number of road safety criteria which apply in built-up areas and elsewhere. It discourages the proliferation of road access points on public roads of all kinds, especially (but not exclusively) where the maximum speed limit applies or where road safety is of concern.
- 8.3.5. When the Council refused permission for a dwelling on the application site earlier this year, it did not cite proliferation of access points as a reason for refusal, nor did it invite the then applicant to explore opportunities for sharing access with an existing dwelling. It must have judged that had a rurally generated housing need been demonstrated and had the siting and design of the proposed dwelling been acceptable, then a new domestic access would also have been acceptable in principle at this location having regard to CPO 5.19 and DMS 16.119.
- 8.3.6. The present proposal is not for a domestic access and raises different considerations. The appellant has not explained why he requires a new entrance to his small undeveloped landholding. The proposed entrance is not stated to be associated with any built development, existing or proposed. An entrance is not a land use in its own right but the proposed entrance would facilitate the off-road parking or long-term storage of an unspecified number of vehicles involving an unknown number of traffic movements. In my opinion, a grant of permission for such a loosely defined and inadequately justified proposal would not be consistent with discouraging the proliferation of road access points. I therefore conclude that the proposed development is not acceptable in principle at this location.

8.4. Road and Pedestrian Safety

- 8.4.1. It can be inferred from Section 16.4.7, Figure 15.2 and DMS 16.114 of the Development Plan that safe unobstructed sight distances of 3.0 metres by 49 metres are required at this location. The sightline requirements set out in the Plan are designed in the interest of traffic safety for all road users, including pedestrians.
- 8.4.2. The site layout plan shows sightlines of 3 metres by 90 metres in both directions, which exceeds Development Plan requirements. According to my measurement, the

footpath which runs along the site frontage is more than 3 metres wide. There is excellent visibility in both directions from the proposed point of access. The available sightlines are greater than those required and those proposed and are not significantly impeded by the presence of telegraph poles. Given the relatively low volume of traffic typically associated with domestic accesses, I do not consider that the proximity of the proposed entrance to the existing accesses on either side would in itself be unsafe.

8.4.3. I inspected the site around lunchtime on a weekday. Pedestrian traffic was light; only one pedestrian traversed the site frontage during the quarter of an hour when I was there. Although the application does not include details of footpath modifications including dropped kerbs, these matters would be dealt with under the road-opening licensing procedure referred to in CPO 5.30 of the Plan.

8.4.4. Every new access adds incrementally to traffic hazard. However, I have not been persuaded that the layout of the proposed new access would in itself be inherently dangerous to road users, including pedestrians.

8.5. Residential Amenity of the Area

8.5.1. The proposed development would remove the entirety of the front boundary wall and hedgerow. The site layout plan gives no indication as to how the new entrance would be laid out, although a normal expectation is that wing walls would be built on either side of the proposed gates. The extent of the necessary hard-surfaced area on which vehicles would stand and turn is not defined. The layout plan refers to the hedgerow on the rear boundary of the site being maintained. It also refers to the wall with hedgerow fronting the dwelling to the south east being maintained and strengthened where necessary, but these features are no longer in the appellant's ownership. There are no proposals to mark the presently undefined south-eastern site boundary.

8.5.2. The substantial evergreen hedgerow at the front of the site provides screening to the dwellings on either side. Its removal would expose both properties to public view to a much greater extent than they are at present. It would have a particularly serious effect on the privacy of the dwelling to the south east, which has door and window openings directly facing the site. In my opinion, the removal of the hedgerow to facilitate the parking or stationing of vehicles on the site would be out of keeping with the semi-rural character of the area. While conditions could be attached to any grant

of permission to mitigate some impacts of the development, I nevertheless consider that it would have an unacceptable effect on the residential amenity of the area.

- 8.5.3. Third-party submissions and observations referred to drainage, sewerage and flooding. Any grant of planning permission would not affect any easements neighbouring landowners may have in respect of drainage systems. Any interference with adjoining properties' drainage or sewerage arrangements would be a private-law matter between the parties concerned. The application site is not in an identified flood-risk area but, should permission be granted, it would be necessary to require the developer to submit proposals for the disposal of surface water from the site for the agreement of the planning authority.

8.6. Conclusion

- 8.6.1. I have found that authorising a new entrance to serve the appellant's landholding would not be consistent with the policy objective to discourage the proliferation of road access points and that the development would have an unacceptable effect on residential amenity. I therefore conclude that permission should not be granted.

9.0 Appropriate Assessment Screening

- 9.1. Having considered the nature, location and small scale of the proposed development, the absence of emissions therefrom, the distance from the nearest European site and the absence of any known hydrological link between the application site and any European site, I am content on the basis of objective information that the development is not likely to have a significant effect on any European site, either alone or in combination with other plans or projects. I therefore conclude that the carrying out of an appropriate assessment under Section 177V of the Planning and Development Act 2000 is not required.

10.0 Water Framework Directive

- 10.1. The application site is located about 540 metres from the Royal Canal and about 590 metres from Ballbrannigan, a tributary of the Inny River which flows into Lough Ree. The proposed development comprises the construction of an entrance. No water deterioration concerns were raised in the planning appeal.

- 10.2. I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive (WFD) which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
- 10.3. The reasons for this conclusion are the nature and small scale of works, the distance from the nearest water bodies and the lack of hydrological connections.
- 10.4. I conclude on the basis of objective information that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

- 11.1. I recommend to the Commission that planning permission be refused.

12.0 Reasons and Considerations

- 12.1. The proposed development would add to the number of access points on to the R392 Lanesborough to Mullingar route. Based on the information submitted, the appellant has not justified the need for a new vehicular entrance at this location. The proposed development therefore conflicts with County Policy Objective 5.19 and Development Management Standard 16.119 of the Longford County Development Plan 2021-2027 and would be contrary to the proper planning and sustainable development of the area.
- 12.2. The removal of the evergreen roadside hedgerow to facilitate the proposed entrance would have an unacceptable effect on the privacy of the adjoining properties and on the residential amenity of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.



TREVOR A RUE

Planning Inspector

2nd September 2026

Appendix A: Form 1 – EIA Pre-Screening

Case Reference	PL-501710-LD-26
Proposed Development Summary	Construction of entrance
Development Address	Drinan, Ballymahon, Co. Longford
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☒ No, it is not a Class specified in Part 1. Proceed to Q3.	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☒ No, the development is not of a Class specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.	No screening required.
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3).

Inspector: Trevor A Rue

TREVOR A RUE

Date: 2nd September 2026